



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

BROWN, RUDNICK, BERLACK & ISRAELS, LLP.  
BOX IP, 18TH FLOOR  
ONE FINANCIAL CENTER  
BOSTON MA 02111

**COPY MAILED**  
**DEC 18 2006**  
**OFFICE OF PETITIONS**

In re Application of  
Slutter, et al.  
Application No. 09/998,002  
Filed: November 30, 2001  
Attorney Docket No. 25619/25  
For: MODIFIED CONCENTRIC  
SPECTOGRAPH

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed on September 12, 2006 (certificate of mailing date September 8, 2006) to revive the above-identified application.

This application became abandoned for failure to timely and properly respond to the final Office action mailed July 6, 2005, which set an extendable three month period for reply. A Notice of Abandonment was mailed on August 17, 2006.

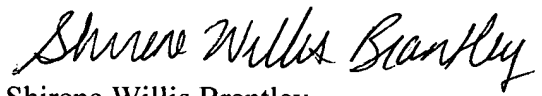
Applicants have submitted a RCE and required fee and amendment in reply to the July 6, 2005 final Office action, an acceptable statement of the unintentional nature of the delay in responding to the July 6, 2005 final Office action, and the petition fee.

The statement of unintentional delay was not signed by a person who would have been in a position of knowing that the delay in filing a timely response was unintentional. In the event that practitioner has no knowledge that the delay was in fact unintentional, practitioner should make a reasonable inquiry to ascertain that, in fact, the delay was unintentional. If practitioner discovers that the delay was intentional, practitioner must so notify the Office.

The petition is **GRANTED**.

After the mailing of this decision the application will be forwarded to Technology Center AU 2877 for consideration of the RCE and amendment filed on September 12, 2006 (certificate of mailing date September 8, 2006).

Telephone inquiries pertaining to this decision may be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, reading "Shirene Willis Brantley". The signature is written in a cursive, flowing style.

Shirene Willis Brantley  
Senior Petitions Attorney  
Office of Petitions